



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the
**REPRESENTATION OF
EMPLOYEES**

of

**BAUXITE AND NORTHERN
RAILWAY**

Operating/Non-Operating
Employees

44 NMB No. 8
CASE NO. R-7476
DISMISSAL
March 2, 2017

The services of the National Mediation Board (Board) were invoked by Jared Martin (An Individual) on October 3, 2016, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA),¹ as provided by Section 2, Ninth, thereof, personnel described as “Operating/Non-Operating Employees ,” employees of Bauxite and Northern Railway (Carrier).

At the time this application was received, these employees were represented by the United Steelworkers, AFL-CIO (USW).

The Board assigned Investigator Norman Graber to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Operating/Non-Operating Employees, and by direction of the Board, the Investigator was instructed to conduct an election to determine the employees' representation choice.

¹ 45 U.S.C. § 151, *et seq.*

The following is the result of the election as reported by Investigator Maria-Kate Dowling.

<u>Election Results for Operating/Non-Operating Employees</u>	
Eligible Employees	5
Total Valid Votes	4
Jared Martin	0
USW	0
“No” Votes	4

The Board further finds that: the Carrier and employees in this case are, respectively, a Carrier and employees within the meaning of the RLA, as amended; this Board has jurisdiction over the dispute involved herein; and the interested parties, as well as the Carrier, were given due notice of the Board's investigation.

On the basis of the investigation and report of election which establishes that a majority of the valid votes cast was for no representation, the Board finds no basis for certification and the application is, therefore, dismissed subject to Part 1206.4(b) of the NMB Rules.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel